



# PUBLIC NOTICE

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DA 03-2113

Released: June 30, 2003

## WIRELESS TELECOMMUNICATIONS BUREAU PROVIDES FURTHER GUIDANCE ON INTERIM REPORT FILINGS BY SMALL SIZED CARRIERS

CC DOCKET NO. 94-102

In this Public Notice, the Wireless Telecommunications Bureau (Bureau) provides further guidance to small sized carriers (Tier III carriers) regarding the reporting of wireless Enhanced 911 (E911) deployment and implementation status.

On July 26, 2002, the Commission adopted an Order staying certain E911 Phase II deployment deadlines for Tier II and Tier III carriers, with conditions.<sup>1</sup> In the *Non-Nationwide Carrier Order*, Tier II carriers were defined as non-nationwide carriers that had over 500,000 subscribers as of year-end 2001, and Tier III carriers were defined as all other non-nationwide carriers.<sup>2</sup> The Commission extended the E911 Phase II interim handset and network upgrade compliance deadlines by 13 months from the date of the *Non-Nationwide Carrier Order* for Tier III carriers.<sup>3</sup> To assist in monitoring Tier III carriers' E911 deployment progress, the Commission required Tier III carriers to file an Interim Report on **August 1, 2003**.<sup>4</sup>

This Public Notice provides specific details regarding how to file the Interim Report and what should be contained in the Report. The Interim Report is intended to provide specific, verifiable information to the Commission to assist in the monitoring of Tier III carriers' progress and the determination of whether Tier III carriers are on track for compliance with each of the benchmarks established in the *Non-Nationwide Carrier Order* and with other applicable provisions of the E911 rules.<sup>5</sup>

The Interim Reports should be in a narrative format and should include detailed statements regarding the reporting requirements outlined below. The Reports should serve as the principal vehicle for providing the Commission with information regarding E911 Phase I and Phase II deployment, implementation status, and notice of any problems encountered affecting a carrier's ability to

<sup>1</sup> See *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, Order to Stay (rel. July 26, 2002) (*Non-Nationwide Carrier Order*).

<sup>2</sup> See *Non-Nationwide Carrier E911 Order* at paras. 22-24.

<sup>3</sup> See *Non-Nationwide Carrier E911 Order* at para. 1.

<sup>4</sup> *Id.* at paras. 34-35.

<sup>5</sup> For specific details regarding Tier III Carrier benchmarks see *id.* at paras. 32-33.

comply with the Commission's benchmarks. Each Tier III carrier must support each Interim Report with an affidavit, from an officer or director of the carrier, attesting to the truth and accuracy of the report.<sup>6</sup>

The *Non-nationwide Carrier Order* set forth categories of information that Tier III carriers must include in the Interim Reports.<sup>7</sup> For Tier III Carriers' convenience, these categories are restated in boldface type below. In addition, the Commission encourages carriers to add any information that they consider pertinent to the Commission's understanding of issues affecting small carrier deployment and implementation in answering these questions. In this regard, the Bureau provides additional guidance in each category regarding specific information that the Bureau believes could be useful for the carriers to include if it affects their E911 deployment.

- **The number of Phase I and Phase II requests from PSAPs (including those the carrier may consider invalid);**
  - The Bureau encourages you to describe the specific sources of any problems that you have encountered in meeting any valid PSAP request. Please feel free to describe any trunking problems, other LEC issues, problems in coordination with your state or locality, specific PSAP issues, location technology issues, other vendor or equipment issues, data-base problems, funding limitations, or any other problem you have encountered.
  - If you have determined that the PSAP request is not valid, what steps have you or the PSAP taken to resolve outstanding issues? What has been the outcome?
  - Do you have any valid PSAP requests that have been or that you anticipate will be outstanding longer than six months? If so, what are the problems that you have encountered that have caused or contributed to the delay?
- **The carrier's specific technology choice (i.e., network-based or handset-based solution, as well as the type of technology used);**
  - If you have begun implementation, have you experienced any problems, and if so, what are the major sources of the difficulties, and what would resolve them?
- **Status on ordering and/or installing necessary network equipment;**
  - Have you begun to order equipment?
  - If so, what problems, if any, have you encountered?
  - If you have begun installing necessary equipment, what problems, if any, have you encountered?
  - What problems do you anticipate encountering in ordering and installing necessary equipment?
- **If the carrier is pursuing a handset-based solution, the Report must also include information on whether ALI-capable handsets are now available, and whether the carrier has obtained ALI-capable handsets or has agreements in place to obtain these handsets;**
  - If you have been unable to obtain ALI-capable handsets, what has been the major source of the problem? What have you done to resolve it?
  - Have you encountered any problems in negotiating agreements to obtain these handsets?

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<sup>6</sup> To the extent any Tier III carrier believes any of the required information is proprietary, it may file a request for confidential treatment pursuant to 47 C.F.R. § 0.459.

<sup>7</sup> See *Non-Nationwide Carrier Order* at para. 35.

- Do you anticipate any problems in marketing ALI-capable handsets to your customers?
- **The estimated date on which Phase II service will first be available in the carrier's network;**
  - What problems are you encountering or do you anticipate encountering in making Phase II service available in your service area or in any part of your service area?
- **Information on whether the carrier is on schedule to meet the ultimate implementation date of December 31, 2005.**
  - If so, what factors are contributing to your anticipated problems?

The requirement to adhere to the above outlined reporting requirements will not impose significant new burdens on Tier III carriers. In November 2002, the reporting requirements were approved as a revision to OMB Control No. 3060-1004. We further note that the Tier III carriers' requirement to submit the Interim Reports was also included in a revised Notice of Information Collection, pursuant to the Paperwork Reduction Act, regarding the establishment of the format of an Excel spreadsheet for Tier I and Tier II Carriers. OMB Control No. [68 FR 34606, June 10, 2003]. The Excel Spreadsheet format does not apply to Tier III Carriers.

Interim reports are required to be submitted electronically at [E911compliancereports@fcc.gov](mailto:E911compliancereports@fcc.gov). Only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, postal service mailing address, and the applicable docket number, CC Docket No. 94-102. Carriers must also file Interim Reports with the Wireless Telecommunications Bureau and the Enforcement Bureau.

Interim Reports must also be filed electronically with the Electronic Filing System (ECFS)<sup>8</sup> or by paper with the Office of the Secretary. Parties who choose to file by paper must file an original and four copies of each filing. All filings must be sent to the Commission's Secretary, Marlene Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. Quarterly Reports are available for public inspection during regular business hours in the FCC Public Reference Room, Room CY-A257, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554.

For further information concerning the FCC's E911 reporting requirements, contact Andra Cunningham, Policy Division, Wireless Telecommunications Bureau at (202) 418-1310; TTY 1-888-835-5322.

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<sup>8</sup> See *In re Electronic Filing of Documents in Rulemaking Proceedings*, 13 FCC Rcd. 11322 (1998) (amending Parts 0 and 1 of the Commission's rules to allow electronic filing of comments and other pleadings).